

April 15, 2003

Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVE AGREEMENT BETWEEN THE COUNTY OF LOS ANGELES AND THE
CITY OF INDUSTRY TO PROVIDE FUNDING FOR THE NOGALES HIGH SCHOOL
AFTER-SCHOOL LEARNING CENTER PROGRAM**

(SUPERVISORIAL DISTRICT 1) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve and instruct the Chair of the Board of Supervisors to sign the attached Agreement between the County of Los Angeles (County) and the City of Industry (City) to provide for implementation of the Nogales High School After-School Learning Center Program (After-School Program).
2. Instruct the Auditor-Controller to establish a separate interest bearing trust fund to account for the receipt of funds from the City of Industry.
3. Authorize the Chief Administrative Officer (CAO) to execute a Service Agreement between the Rowland Unified School District (District) and the County that embodies the terms and conditions necessary for the District to operate the After-School Program on behalf of the County, for a period to be determined consistent with the available funding provided by the City of Industry, effective following approval as to form by County Counsel and execution by all parties.

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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the Agreement between the County and the City is to create a partnership to fund operation of the After-School Program. The After-School Program, to be operated by the District, will provide family oriented literacy programs that benefit area youth and families residing in the unincorporated communities adjacent to the City.

The Agreement is the result of negotiations between the City and the County that recognize the collective impact of the City's extensive annexation and development efforts of unincorporated commercial, industrial, and retail areas. The City's adopted General Plan and Zoning Ordinance do not provide for residential land use within the City's corporate boundaries. These regulations establish commercial and industrial development as the predominant purpose for the City. Consistent with the City's General Plan, the City has indicated that there are no plans to annex residential areas.

In recognition of the City's desire to pursue additional annexations involving commercial or industrial land and the needs of the community in the unincorporated residential areas adjacent to the City, the City has agreed to provide financial assistance to the After-School Program which will directly benefit area youth and families. It is necessary for your Board to authorize the CAO to enter into a Service Agreement with the District in order to monitor program expenditures and ensure that the funds are used solely for activities that support and maintain the After-School Program. The County Public Library is providing assistance in the development of the Service Agreement and could potentially provide ongoing support subsequent to the implementation of the After-School Program. Any costs incurred by the County Public Library would be reimbursed from the funds provided by the City.

Program expenditures will be appropriated and disbursed from the Executive Officer, Board of Supervisors budget. Approval of the recommended action authorizing the Auditor-Controller to establish a separate interest bearing trust account to issue payments to the District will ensure that all funds are appropriately accounted for and not distributed until the qualifying expenditures are incurred.

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Implementation of Strategic Plan Goals

The recommended actions are consistent with the County of Los Angeles Strategic Plan **Goal 6: Community Services - Improve the quality of life for the residents of Los Angeles County's unincorporated communities by offering a wide range of department coordinated services responsive to each community's specific needs.** The After-School Program will improve the quality of life for residents by providing family oriented literacy and educational programs to benefit the youth and families in the unincorporated communities adjacent to the City.

FISCAL IMPACT/FINANCING

The funds received from the City will be held in a trust account and utilized to operate the After-School Program in unincorporated Los Angeles County. There will be no net County cost impact to the County General Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Agreement has been approved as to form by County Counsel and was adopted by the City on March 27, 2003.

Pursuant to Section 26227 of the Government Code, the County is authorized to contract with other public agencies to operate programs which the Board determines will serve public purposes. Section 23005 of the Government Code provides that the County may exercise its powers through the Board or through its designee acting under the authority of the Board.

The proposed Service Agreement will require the District to operate the After-School Program to serve students and others in the community, and to provide access to computers, tutorial opportunities, in-library use of resources and circulation of the community juvenile book collection, and other related services. The After-School Program will operate in the library facility at Nogales High School. The proposed hours of operation for the After-School Program will provide for extended access of up to four

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additional hours of operation each day, Monday through Thursday, for a period up to 11 months per year. Funding will be used to pay the salaries and benefits of staff, as well as a portion of non-personnel items such as books, computer software, and other required supplies.

The Service Agreement between the County and the District will become effective following approval as to form by County Counsel and execution by all parties.

IMPACT ON CURRENT SERVICE

The Service Agreement will extend the availability of the Nogales High School Library and enhance the level of services provided to youth and adults residing or frequenting the unincorporated communities and other areas served by the Nogales High School Library.

CONCLUSION

At such time as the recommendations are approved by your Board, please return one copy of this letter and four signed originals of the Agreement to the Chief Administrative Office, Office of Unincorporated Area Services and Special Projects, and one copy of the letter and one original of the Agreement to the Auditor-Controller, Accounting Division.

Respectfully submitted,

DAVID E. JANSSEN
Chief Administrative Officer

DEJ:LS
DD:MJS:os

Attachment

**AGREEMENT BETWEEN THE CITY OF INDUSTRY AND THE COUNTY OF
LOS ANGELES FOR FUNDING FOR THE NOGALES HIGH SCHOOL
AFTER SCHOOL CENTER PROGRAM**

This AGREEMENT is made and entered into this _____ day of _____ 2003 by and between the County of Los Angeles, a body corporate and politic, (the "County") and the City of Industry, a municipal corporation (the "City").

WHEREAS, the purpose of this Agreement is to establish a partnership through which the City will provide financial assistance for the Nogales High School After-School Learning Center Program (Nogales High School Program), located at 401 Nogales Street, La Puente, California, which has been developed and funded by the County, through the efforts of First District Supervisor Gloria Molina in cooperation with the Rowland Unified School District, to provide family oriented literacy and computer skills enhancement opportunities; and

WHEREAS, the City has indicated its intentions to initiate annexation of commercial and industrial property adjacent to the City and contends that such annexations are consistent with the logical growth of the City; and

WHEREAS, the City's adopted General Plan and Zoning Ordinance do not provide for residential land use within the City's corporate boundaries, and establish commercial and industrial development as the predominate purpose for the City; and

WHEREAS, the City has indicated that, in conformance with its General Plan and Zoning Ordinance, it will not initiate annexation of residential property adjacent to the City; and

WHEREAS, in recognition of the service and community program needs in the unincorporated residential areas adjacent to the City of Industry, and the increase in property and sales tax revenue base due to the City's extensive annexation and development of commercial, industrial and retail land uses also adjacent to these unincorporated residential areas, the City has determined and agreed to provide financial assistance to the Nogales High School Program as a means of providing a direct benefit to the area youth and families residing in unincorporated communities adjacent to the City; and

WHEREAS, this Agreement does not replace or modify any negotiated tax transfer agreements between the County and the City resulting from annexations of unincorporated areas to the City. All such annexations are subject to the preparation of separate negotiated tax transfer resolutions, pursuant to Section 99 of the Revenue and Taxation Code.

NOW, THEREFORE, the Los Angeles County Board of Supervisors and the Industry City Council have mutually agreed to the following:

1. The County will utilize the League of California Cities formula to calculate the amount of property tax to be transferred from the County to the City for the following proposed annexations:

- Temple Avenue at the east side of Workman High School (Annexation 00-109), 0.285 acres;
- Haddick's Towing located at 15120 East Valley Boulevard (Annexation 99-108); and
- Unincorporated territory generally located east of Lemon Avenue, north of the Pomona Freeway and west of the City of Pomona.

Any future annexations not covered by this Agreement will be subject to negotiation between the City and the County.

2. The City agrees to transfer to the County a lump-sum amount of Four Hundred Thousand Dollars (\$400,000) for the purpose of funding the Nogales High School After-School Learning Center Program; such funds shall be provided by check payable to the "County of Los Angeles" and shall be delivered to the County at the address shown below within 30 days after the execution of this agreement by the City and the County:

County of Los Angeles
Chief Administrative Office
723 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

ATTENTION: Lari Sheehan

3. The County agrees that upon receipt of the lump-sum amount, the funds will be immediately deposited into an interest bearing account. The funds shall be specified and used solely to fund expenses related to the support of the Nogales High School After-School Program. If the Program expires or is terminated by the Rowland Unified School District and there are remaining funds in the account, the Board of Supervisors, or its designee, may expend such funding for any purpose(s) that benefit youth and/or families within the unincorporated communities adjacent to the City.

4. The City of Industry agrees that it shall have no future claims or rights to any of these funds.

5. The City further agrees that it will construct a traffic signal, at its expense, at the east entrance to Workman Mill High School within 260 days of the completion of annexation 00-109.

COUNTY OF LOS ANGELES

By _____
Chair, Board of Supervisors

ATTEST:

VIOLET VARONA-LUKENS
Executive Officer-Clerk of
The Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL
LLOYD W. PELLMAN

By _____
Deputy

CITY OF INDUSTRY
A Municipal Corporation

By _____

ATTEST:

Approved:

City Clerk
City of Industry

City Attorney, City of Industry